

**FILED**

*July 14, 2011*  
STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS  
ALCOHOL AND DRUG COUNSELOR COMMITTEE

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
ALCOHOL AND DRUG COUNSELOR COMMITTEE  
OF THE STATE BOARD OF MARRIAGE AND  
FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE	:	
APPLICATION FOR LICENSURE OF	:	
	:	Administrative Action
<b>CHARLES P. MIRARCHI, III</b>	:	
	:	CONSENT ORDER GRANTING
TO PRACTICE CLINICAL ALCOHOL	:	RESTRICTED LICENSURE
AND DRUG COUNSELING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened before the Alcohol and Drug Counselors Committee of the New Jersey State Board of Marriage and Family Therapy Examiners (hereinafter "the Committee"), upon review of Mr. Charles Mirarchi, III's application for licensure. Respondent disclosed in his application that he had plead guilty to the crime of mail fraud and that his license to practice law in the State of Pennsylvania had been suspended for five (5) years.

Mr. Mirarchi appeared before the Committee, pro se, on March 25, 2011 to discuss his criminal history and suspension from the practice

*CPM III*

of law in the State of Pennsylvania. Respondent testified that he signed a Guilty Plea Agreement, filed on October 7, 2004 admitting that he violated 18 U.S.C. Sec. 1341 and 1346 by participating in a scheme to defraud the City of Philadelphia by having Joseph H. Hoffman, Jr., an official of the City of Philadelphia, dismiss over \$47,000 of parking violations in exchange for payment of bribes and anticipated political favors, during a time period when he was employed by the City of Philadelphia as a deputy commissioner of elections and also maintained an active criminal defense practice. Respondent documented that he subsequently cooperated and testified on behalf of the government. Respondent was sentenced to three years probation, with home detention for six months, a fine of \$5,000.00, and an assessment. On March 5, 2008 respondent was granted early termination of probation.

Respondent also admitted that his license to practice law was suspended in the State of Pennsylvania for five (5) years, retroactive to February 23, 2006. Respondent's law license currently remains suspended. The Disciplinary Board of the Pennsylvania Supreme Court (the "Disciplinary Board") found that respondent engaged in egregious conduct by delivering bribes, that he personally received 40% of the bribes that he delivered and signed hundreds of false Entry of Appearance Slips. Although respondent maintained before the Disciplinary Board that his conduct was substantially caused by a gambling addiction, the Disciplinary Board found that

respondent had established a life-long gambling addiction but did not find sufficient evidence to establish that it was the causal factor, or even a substantial factor of the misconduct.

Respondent testified that he has suffered from a gambling addiction since college but had been in recovery since 1984. Respondent maintained that around 2001 he relapsed and returned to treatment during 2003. Respondent testified about his remorse for his criminal conduct and stated that he has written and lectured extensively about his misconduct and recovery. Respondent discussed his successful treatment, recovery and his fitness to practice alcohol and drug counseling. In 2006 respondent commenced a Master's Program at LaSalle University in Clinical/Counseling Psychology and was awarded a Masters of Arts degree in 2010. In December 2008 he also began working at Genesis Counseling Center as an alcohol and drug counselor intern. Respondent stated that he currently serves as the Director of Genesis' Gambling Treatment and Education Program.

The Committee having reviewed Mr. Mirarchi's application, evidence of his rehabilitation and work in the field of alcohol, drug and gambling counseling, that he has successfully completed probation and understands the implications of his misconduct and has shown remorse; and the Committee finding that the following disposition of this matter is adequately protective of the public, and other good cause appearing;

IT IS THEREFORE ON THIS 14<sup>th</sup> DAY OF July, 2011

ORDERED:

1. Respondent shall be granted a restricted license to practice alcohol and drug counseling upon compliance with all requirements for licensure.

2. Respondent shall begin a period of probation for eighteen (18) months beginning with the date of the filing of this order and until receipt of written notification from the Committee stating that respondent has fully complied with the terms of this order. Periods of time during which respondent is not employed as a practicing alcohol and drug counselor shall be excluded from the computation of time to be served on probation. During the entire period of probation, respondent's practice of alcohol and drug counseling shall be limited to practice under the supervision of a supervisor pre-approved by the Committee. The supervisor and respondent's employer shall be provided with a copy of this order and both shall sign a copy of this Consent Order which shall be filed with the Committee. The supervisor shall provide the Board with progress reports twice per year regarding his/her supervision of respondent and respondent's progress for a minimum of eighteen (18) months and until further order of the Committee. At a minimum, respondent shall meet face-to-face with his supervisor for a one hour session per month to review respondent's cases. Additional supervision may be scheduled in the supervisor's discretion. An unfavorable report may be considered a violation of probation.

3. During the period of probation respondent shall notify the Committee in writing of any change in employment or supervision. The notification shall be provided to the Committee within five (5) days of any such change and respondent shall also provide the Committee with a copy of the Consent Order signed by his new supervisor and/or employer.

4. Respondent shall be precluded from engaging in any independent or private practice unless and until the Committee issues an Order granting him an unrestricted license to practice clinical alcohol and drug counseling. No credit shall be granted toward the period of probation for any period during which respondent is practicing any type of independent or private practice in any other jurisdiction or country, whether or not such counseling is provided in an exempt setting.

5. Respondent shall be precluded from supervising any clinical practice of alcohol and drug counseling unless and until the Committee issues an Order granting him an unrestricted license to practice clinical alcohol and drug counseling.

6. During the period of probation and continuing thereafter respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of professional counseling and alcohol and drug counseling in this State or any other State.

I have read the within Order. I agree to supervise Charles P. Mirachi, III's, clinical practice of alcohol and drug counseling during face to face sessions a minimum of one time per month for one hour and to report biannually to the Committee regarding his progress.

STEVEN WAYNE GINSBURG  
(Print name) License # 37LC 00153300  
Supervisor Steven Ginsburg Dated: 7/2, 2011  
Telephone # 856-858-9314 x 125  
(including area code and extension number)

I am Charles P. Mirachi, III's employer.  
I have read the within Order and agree that his job responsibilities will be consistent with this Order.

Barry T. Bailey, M.S. V.P. of Operations  
(Print name) (Title and License #)  
Employer Genesis Counseling Center Dated: \_\_\_\_\_, 2011  
Telephone # 856 858-9314  
(including area code and extension)